

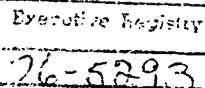
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September 20, 1976

OGC Has Reviewed

Honorable Barrington D. Parker
United States District Court
For the District of Columbia
United States Court House
Fourth and Constitution Avenues, N.W.
Washington, D.C. 20001

Re: Sam and Juene Jaffe vs. Central
Intelligence Agency, and Department
of Justice, Civil Action No. 76-1394

Dear Judge Parker:

This letter concerns the government's opposition to plaintiffs' motion that defendants provide a detailed indexing, itemization, and justification as required by Vaughn vs. Rosen, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974). I received defendant's opposition on or about September 10, 1976, and, because of my involvement in a trial, have not been able to respond until now.

In its opposition, the government admits that plaintiffs are entitled to additional information. The government adds that such additional information will be supplied by affidavits to be filed by November 8, 1976. In this light, it is difficult to understand why the government resists plaintiffs' Vaughn motion; indeed, it would expedite matters if the additional information to be supplied by the government could be set forth in a form that would satisfy the Vaughn requirements.

Hon. Barrington D. Parker
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In any event, the government's concession that plaintiffs are entitled to and will receive additional information hardly forms a basis on which to deny plaintiffs' Vaughn motion. For if the additional information supplied is insufficient to meet the Vaughn standard, then plaintiffs will only have to renew the motion. In other words, at most, the government's response provides a basis only for deferring a ruling on plaintiffs' Vaughn motion until an evaluation can be made of the additional information to be supplied on November 8, 1976.

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Respectfully yours,

15/
Lewis J. Paper,
Attorney for Plaintiffs

LJP/pac

cc: Lawrence Bennett, Esq.
Hon. Edward Levi
Hon. George Bush

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CONFIDENTIAL

SECRET

EXECUTIVE SECRETARIAT

Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
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18	C/IPS				
19	DCI/SS				
20	C/CI/DDO	✓			
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22					
SUSPENSE		Date			

Remarks:

Executive Secretary

22540

Date

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EXECUTIVE SECRETARY

T. J. H. #49